IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.1222 OF 1995

Citibank N.A. ..Plaintiffs

Versus

Sukhvinder S.Sahani ..Defendant

Ms.Kavita Auchan i/by M/s.M.V.Kini & Co. for plaintiffs.

CORAM : A.S.OKA,J

DATE : 30.08.2007.

PC

1. The affidavit of service of writ of summons issued under Sub rule 2 of Rule 2 of Order XXXVII of the Code of Civil Procedure, 1908 is taken on record and marked "X" for identification.

2. The learned Counsel for the plaintiffs pointed out that the defendant has not entered an appearance within the time stipulated by law and hence, under sub rule 3 of rule 2 of Order XXXVII of the Code of Civil Procedure, the plaintiffs are entitled to a decree as prayed in the summons.

3. The record shows that the defendant has not entered the appearance within the time provided by law. Hence, the allegations in the plaint shall be

deemed to have been admitted and the plaintiffs are entitled to a decree as prayed for. Hence, suit is decreed as prayed for. Certified copy expedited.

(JUDGE)